

[SR-1] SECONDARY ROADS: GENERAL DEFINITIONS

The secondary road system within a county for the purpose of this subchapter consists of those roads maintained by the NCDOT that do not carry "N.C." or "U.S." numbers and are outside the boundary of any incorporated municipality. In the development of secondary road plans, these roads fall into several categories that are defined as follows:

- A. Principal County Routes - These routes serve as the backbone of the rural transportation network within a county. Their major purpose is to move local traffic to community and recreational centers, shopping and industrial areas, to urban areas within the county and to connect together the other secondary roads with the primary highway system. In addition, they serve abutting residential, farming, business and industrial property.
- B. County Roads - These roads have as their primary purpose serving abutting residential, farming, business, and industrial use. They also carry small to moderate volumes of traffic moving to the principal county routes and the primary highway system. Their dual function of serving traffic and abutting property is variable depending upon their importance as through route or connecting link.
- C. Subdivision Streets - A subdivision street is considered to be a street or road which has been dedicated to the public to provide ingress and egress to lots or parcels which have been laid out for the purpose of providing home sites by a person or firm hoping to profit by the sale of such parcels. These lots or parcels are of insufficient size to be used primarily for farming purposes. A subdivision street is primarily for the use and convenience of the abutting property owners and not the general traveling public.
- D. Collector Roads - Roads that channel traffic in subdivisions from side roads. They also provide access from other state maintained roads.

[G.S. 136-44.2; 143B-350 \(f\),\(g\)](#)

[19A NCAC 02C.0101](#)

[SR-2] THE SECONDARY ROADS OFFICE: FUNCTIONS AND RESPONSIBILITIES

This office, headed by the Assistant to the Chief Engineer for Secondary Roads, is staffed to the Chief Engineer-Operations. It has general responsibility in the administration of all policies and procedures relative to secondary roads. Specifically, the more important policy functions of this office are set forth as follows:

- A. To make certain that all of the General Statutes, policies of the Board of Transportation, and other administrative policies relating to all secondary road matters are adhered to by all field personnel
- B. To check for compliance of all secondary road construction project descriptions to be submitted to the Board of Transportation for their approval
- C. To recommend to the Board of Transportation policies relating to secondary road matters, including the development of a priority system for the paving of secondary roads, making use of secondary road construction funds.
- D. To recommend general policies to the Board of Transportation for the use of secondary road construction funds such as a proportion of the funds to be used for strengthening of paved secondary roads, stabilization of unpaved secondary roads, replacement of small bridges with pipe, safety improvements at hazardous locations and paving short sections of unpaved roads where continuing maintenance problems occur.
- E. To work with appropriate committees of the North Carolina General Assembly relative to the General Statutes and recommend policies pertaining to secondary roads

- F. To work with the field divisions in the formulation of secondary road plans for the various counties, which includes a large amount of contact with County Commissioners
- G. To keep records of improvements and general status of secondary roads in any county and to recommend policies for their improvement to the Board of Transportation
- H. To administer the Access and Public Service Road Fund and to make recommendations to the Board of Transportation for the use of these funds to serve new industrial facilities, hospitals, school bus drives and other such roads
- I. To perform such additional duties as determined by the Secretary, the Board of Transportation, the State Highway Administrator and the Chief Engineer-Operations

[SR-3] CONSTRUCTION FUND ALLOCATION

There shall be annually allocated out of the State Highway Fund to the NCDOT for secondary road construction programs a sum equal to the allocation made under [G.S. 136-44.2\(a\)](#).

This secondary road construction allocation must be made in accordance with the provisions relating to the allocation of secondary road construction funds, which is [G.S. 136-44.5](#). This statute applies to Highway Funds and Highway Trust Funds.

The NCDOT shall, each year, determine the number of miles of unpaved state maintained secondary roads in each county and the total number of such mileage in the state.

Except for federal-aid programs, the Board of Transportation shall allocate all secondary road construction funds on the basis of a formula using these mileage figures.

The allocation shall be made such that each county shall receive a percentage of the total funds available for secondary road construction, the percentage to be determined as a factor of the number of miles of unpaved state maintained secondary roads in the county, divided by the total number of miles of unpaved state maintained secondary roads in the state.

The allocation of secondary road construction funds for use in each county is set forth in [G.S. 136-44.5](#), which is based upon the relation of unpaved miles per county as it relates to the total in the state. The Board of Transportation may not change this formula for the allocation of funds made available by the General Assembly.

The Board of Transportation may make such rules and regulations for the specific use of the secondary road funds as deemed in the best public interest.

- It may set up a priority system for the paving of secondary roads.
- It may determine the percent of the total secondary road construction fund in each county that may be used for paving secondary roads.
- It may determine that these funds be used for such things as strengthening paved secondary roads, stabilization of unpaved roads, bridge replacement programs, etc.
- The secondary road paving priorities shall include as a primary factor the availability of donated right of way or right of way available through the condemnation process allowed under [19A NCAC 2C.0108](#).
- The need to improve the unpaved roads that will not be paved into "all-weather" roads through a Spot Stabilization Element.
- The need to continue to address safety problems on the paved and unpaved secondary roads and at particular intersections.
- The Board of Transportation recognizes the potential for assistance with funds allocated for the location of new industrial manufacturing facilities should the need arise due to limitations on the Statewide Access and Public Service Fund.
- The Board of Transportation recognizes that some unpaved sections have continuing maintenance problems such as steep grades or low areas and become impassable during

rainy weather. The Board of Transportation will allow paving of these sections up to a maximum length of 0.20 mile to correct the maintenance problems.

[G.S. 136-44.5](#)

[DE20000120.pdf](#) (Secondary Road Improvement Program)

[RF20010309.pdf](#)

[SR-4] PAVING PRIORITY RATINGS

A paving priority is a relative number that is established for a particular unpaved road in a given county. The priority number for a road is based upon the characteristics of the road. The characteristics evaluated are the number of homes, schools, churches, businesses, industries and recreational facilities. Other items evaluated are the presence of school bus traffic, the Average Daily Traffic (ADT) count and the thoroughfare classification. A number of points are assigned to each characteristic and a point total is obtained. All unpaved roads in a county are assigned a paving priority number based on this points system. The road with the highest number of points receives a priority of one and becomes the first road to be considered for paving. Once a road is ranked in the top ten, the road must be paved unless donated right of way is unavailable. If right of way is unavailable, the road is placed on a holding list. In the event that right of way becomes available at a later date, the road could be removed from the holding list and be reconsidered for paving as funds become available.

- A. The paving of said unpaved roads in any county is based upon the total needs that take into account land use and public service characteristics, traffic characteristics, and general route characteristics.
- B. A priority-rating sheet is developed for each unpaved secondary road in the county and the ratings for roads are updated as dictated by the Board of Transportation (currently the ratings are updated every 4 years).
- C. Once a secondary road is listed in the top ten to be paved on a county priority list, the road cannot be removed from the list until it is paved or placed on the right of way holding list. New paving priorities are updated at intervals established by the Board of Transportation.

[G.S. 136-44.1](#); [44.4](#); [44.7](#); [44.8](#); [182](#); [143B-350\(f\),\(g\)](#)

[19A NCAC 02C.0106](#)

RF20010418b.pdf	Update – 2001 Priority List
DE19910107.pdf	Sec Rd Paving Projects Paving Private Driveways
DE19970407a.pdf	Revised Secondary Road Construction Criteria
RF19970403.pdf	SR Maint & Equip Committee Meeting
MISC19870121.pdf	Explanation of Rating Sheet to Rep. Justus
DE19991222a.pdf	Paving of Roads in Sandhills Game Lands

[SR-5] CONSTRUCTION PROGRAMS TO COUNTY COMMISSIONERS

The Secondary Road Construction Program shall be submitted to the County Commissioners and comply with the following procedures:

- A. The NCDOT shall post in the county courthouse a map showing tentative secondary road paving projects rated according to the priority of each project in accordance with NCDOT criteria. The map shall be posted at least two weeks prior to a public meeting of the Board of County Commissioners.
- B. The NCDOT shall provide a notice to the public for the meeting of the Board of County Commissioners at which the annual secondary road construction program for the county,

proposed by NCDOT, is to be presented. The notice shall be published in a newspaper published in the county once a week for two succeeding weeks prior to the meeting.

- C. Representatives of NCDOT shall meet with the Board of County Commissioners at a regular public meeting to discuss the proposed secondary road construction program for the county.

At that meeting, the Board of County Commissioners may (1) concur in the construction program, (2) take no action, or (3) make recommendations for deviation in the proposed program, except in paving projects and the priority of paving projects. The Board must vote to consider the matter in a later public hearing in order to propose deviation in these projects, as provided in (D).

- D. The commissioners may recommend deviations in the paving projects and priority of paving projects after a notice and a public hearing on the matter. Any change in paving priorities and recommendations, made by the Board of County Commissioners for such a deviation, shall state the specific reason for recommended changes.
- E. The Board of Transportation shall adopt the annual secondary road construction program for each county after the Board of County Commissioners has had an opportunity to review the proposed construction program and to make recommendations. The Board shall consider such recommendations as are compatible. No consideration shall be given to any recommendation by the Board for a deviation in paving projects unless the matter has been handled as set forth in (D).
- F. The secondary road construction program approved by the Board of Transportation shall be followed by the NCDOT unless the Board of Transportation approves any specific changes with notice being given to the Board of County Commissioners. The adopted program shall be posted at the courthouse.

[G.S. 136-44.8](#)

[RF19970403.pdf](#) [DE19970407a.pdf](#) [DE19970212b.pdf](#)

[SR-6] CONSTRUCTION ON ANOTHER STATE AGENCY LAND

When the NCDOT proposes to pave an unpaved secondary road that crosses land controlled by a State agency, NCDOT shall obtain the approval of that State agency before paving that secondary road.

[G.S. 136-44.7A](#)

[SR-7] ADDITIONS AND IMPROVEMENTS: RIGHT OF PETITIONS

The citizens of the state shall have the right to present petitions to the Board of County Commissioners and to the NCDOT concerning the general additions of roads to the system and the improvements of the roads. Such petitions shall be considered in the development of the annual secondary road plan. The citizens shall, at all times, have the opportunity to discuss any aspect of secondary road additions, maintenance and construction with representatives of the NCDOT in charge of the preparation of the secondary road plan.

Click here ([Form SR-2](#)) for a copy of Form SR – 2 Request for Addition to State Maintained System

[G.S. 136-62](#)

[SR-8] UNPAVED NON-SYSTEM ROAD IMPROVEMENT

The General Assembly appropriated for FY 2000 funds for a pilot program to improve unpaved roads that are not on the State System. The NCDOT has developed eligibility guidelines for selecting the counties and roads for the program. Contact the Secondary Roads Office for the guidelines and criteria.

[SR-9] ANNUAL STATEMENTS: SECONDARY ROADS

The NCDOT shall, before the end of the calendar year, prepare and file with the Board of County Commissioners a statement setting forth (i) each secondary highway designated by number located in the county upon which the paving or improvement was made during the year; (ii) the amount expended for improvements of each secondary highway during the year; and (iii) the nature of such improvements. The NCDOT, in its annual report, shall report on each secondary road construction project including the stage of completion and funds expended. This information shall be submitted to the secondary roads office and the Geographic Information Systems (GIS) Unit.

G.S. 136-44.9

[SR-10] MINIMUM STANDARDS

The minimum standards for secondary roads are as follows:

- A. Since October 16, 1929, the department and its predecessor agencies have required a right of way width of at least 60 feet by ordinance. On May 19, 1938, a right of way width of 100 feet was required for all new projects, except as a different width might be indicated on the ground. The department and its predecessor agencies have continuously required a width of 60 feet for secondary roads added to the system. In recognition of the many factors affecting roads proposed for addition to the state system, the department will accept right of way widths less than 60 feet for certain roads where the situation warrants acceptance under these rules. The right of way width to be required will be such as to provide for expected future improvement and maintenance needs of a particular road. A minimum of 50 feet in width for connecting roads, and a minimum of 45 feet in width for dead end roads is recommended. Construction and/or maintenance easements beyond the right of way will be required, if necessary. The minimum recommended width may be reduced if physical characteristics necessitate such reduction, based upon improvement costs and reasonable engineering principles. Sufficient width for maintenance and safety purposes shall be required.
- B. For unpaved roads, a minimum travel way width of at least 20 feet is required. Where feasible, road widths of 32 feet, including side ditches, shall be required. In extreme cases, the width may be reduced to a width applicable to the situation.
- C. For paved secondary roads, the following pavement widths are desired:
 1. Connecting Roads - The desired pavement width for roads with the potential for moving traffic from one part of the county to another (thoroughfare type) will be 20 feet.
 2. Loop Roads - The desired pavement width is established at 18 feet. These are roads with no collector characteristics.
 3. Dead End Roads - The desired pavement width is established at 18 feet. These are roads with no collector characteristics.

These widths may be reduced by the Division Engineer, based upon high costs associated with constructing such roads to the desired pavement widths. Decisions of this nature will not sacrifice safety or create future maintenance problems.
- D. Unpaved roads should be stabilized based upon the level of service that the roads render for acceptable use in all except extreme weather conditions.
- E. Any secondary road should have drainage established that is adequate to maintain the road in a manner that is justifiable, based upon the service that the road renders.

Click below for copies of forms relating to road additions:

[Form SR-1](#), Petition for Road Addition, and

[Form SR 4](#), Secondary Road Investigation Report

[G.S. 136-44.7](#)

[19A NCAC 02C.0102](#)

[SR-11] ADDITION OF ROADS

The following requirements must be met before a road will be added to the secondary road system, provided, however, that the Board of Transportation reserves the right not to add a road to the system if it is evident that the cost of improving said road to minimum standards is excessive within the funds presently available for maintenance and construction within the county:

A. Addition of county (rural) roads to the State Highway System

1. Property owners must dedicate, free of charge, a right of way sufficient for maintenance and safety purposes. A minimum width of 50 feet for connecting roads and 45 feet for dead end roads is desired. The minimum desired basic right of way width may be reduced if physical characteristics dictate based upon improvement costs and reasonable engineering principles.
2. Roads one mile or less in length must have at least five (5) occupied residences fronting the road or with direct entrance to the road. These residences must be all-year residences. If a summer resort, each residence counts as one-half a residence.
3. Roads of one or more miles in length must have an average of five (5) occupied residences per mile fronting or having direct entrance to the road.
4. There must be at least two (2) individual property owners on the road.
5. The cost to put the road in acceptable maintenance condition must not be excessive for the amount of service that it will render.

B. Addition of subdivision streets to the State system

1. Developer(s) or property owner(s) must dedicate the following right of way free of charge and free of all encumbrances:
 - Connecting Roads right of way width for roads that serve as the connecting road system between other roads within the subdivision and the thoroughfare system will be 50 feet.
 - Short Connecting Roads are normally one block long or extend on a block-by-block basis and have no collector characteristics. The right of way width will be 45 feet.
 - Loop Roads are roads that are less than one mile in length and have no collector characteristics. The right of way width will be 45 feet.
 - Cul-de-sacs are very short roads with a limited number of lots and the right of way width will be 40 feet.
2. Utilities requiring adjustment or relocation to conform to NCDOT's requirements (see utility requirement [\(SR-15\)](#) shall be made at no expense to the NCDOT. Existing or relocated utilities may remain within the right of way of any subdivision street added to the secondary road system provided the location of same meets NCDOT's approval, and further, provided the utility owner executes an encroachment agreement on forms furnished by the Division of Highways.

[G.S. 136-102.6\(e\)](#) (Compliance of subdivision streets)

[DE19980505.pdf](#) (Utility Encroachments on New Road Additions)

See Right of Way Branch's utility manual *Policies & Procedures for Accommodating Utilities on Highway Rights of Way*, Subdivision Streets, Page 81, located at

http://www.doh.dot.state.nc.us/preconstruct/highway/dsn_srvc/value/manuals/

3. At least 20 percent of the lots bordering the street must be individually owned.
4. There must be at least two (2) occupied residences for each one - tenth of a mile. Subdivision access roads must provide ingress and egress for at least five (5) occupied residences for roads less than 1 mile in length and an average of five (5) occupied residences per mile for roads over 1 mile in length.
Subdivision Access Road is a road built through vacant property to provide access to the property being developed. This road would not have lots platted along it. The subdivision access road can be added with no homes provided there are sufficient occupied homes in the subdivision to justify the access road. The houses not located on the access road, but used to qualify the access road, may also be used to qualify the road on which they are located once additional homes have been constructed.
5. A minimum of four (4) occupied homes is required for the addition of roads less than two-tenths of a mile in length. Short cul-de-sacs less than two-tenths mile in length must serve at least four (4) occupied homes. If four (4) occupied homes are not served, it will be treated as a private drive.
6. Connecting roads with less than the required occupied homes for the length involved may be reviewed as to traffic usage for addition purposes. Traffic usage equivalent to the traffic that would be generated by the correct number of occupied homes will be acceptable. Current figure is 6 vpd.
7. Any subdivision street with a right of way dedicated, recorded or that has preliminary approval from a county planning board dated after September 30, 1975, will not be added to the state maintained system unless the street is paved to the minimum construction standards of the NCDOT for subdivision streets.
8. The Board of Transportation will consider the addition of streets that serve developments with large lots or parcels that are of the size that the occupied housing requirement of two (2) homes per tenth of a mile cannot be met. The number of occupied homes needed will be a judgment factor based upon the length and the number of lots or parcels involved. The minimum requirement will be four (4) occupied homes.
9. The Board of Transportation will consider the addition of cul-de-sacs which serve less than four (4) occupied homes to the State Maintained System provided the street was constructed, recorded or received preliminary County Planning Board approval before October 1, 1975; the cul-de-sac is fully developed; at least two (2) occupied homes are served; and at least two (2) individual property owners are involved.
10. All subdivision streets shall be seeded and mulched according to the NCDOT specifications prior to addition.
11. Subdivision streets shall meet the minimum design and construction criteria contained herein prior to addition to the State Highway System and shall be in an acceptable state of maintenance.

12. All pipe culverts, storm sewers and appurtenances shall be free of all debris and silt build-up and shall be structurally and hydraulically sound, and functioning in a normal manner. All drainage ditches shall be of such a width and depth and with such a slope as to carry the anticipated discharges. Paved ditches shall be required where necessary.
13. Where extenuating circumstances exist, the Division Engineer has the authority to allow deviations from the design and construction criteria presented in this manual. The deviations allowed will be reasonable and limited only by safety and maintenance factors. No deviation will be allowed from the typical section requirements except by written approval from the Chief Engineer-Operations.
14. Within a Municipal Extra Territorial Jurisdiction (ETJ) or within counties having local ordinances affecting subdivisions, the more restrictive ordinance shall apply.

A revision in the existing policy of requiring property owners in some cases to provide funds for addition of roads to the State System is approved to allow the Board of Transportation to consider any road with a right of way recorded or construction started prior to October 1, 1975 for State maintenance without the property owners bearing any cost.

The eligibility for consideration of such roads will be that the roads serve the required number of occupied homes and the cost for addition to the State Maintained System will be reasonable when compared to the number of occupied homes served. In the case of subdivision roads, the property abutting the roads must be basically fully developed.

The NCDOT will not add a street where the property is under a "lease to own" contractual arrangement between an individual business owner and an individual purchasing the property. At least twenty (20) percent of the lots must be individually owned or financed by a lending agency other than an individual business owner.

Maintenance operations should begin on a new road addition as quickly as possible after the road has appeared on an Agenda and approved for addition by the Board of Transportation. The assigning of a road number to a road is a formality and should not delay routine maintenance from being provided.

All public subdivision roads planned, constructed and recorded before October 1, 1975 will be considered as "Old Subdivision Roads" and are eligible for funding assistance. This funding assistance will be based upon the number of homes served and reasonable cost to adequately maintain the road.

Refer to [MN-45](#), Chapter 7 of this manual, for the policy concerning the addition of a road with mailbox structures.

[G.S. 136-44.1](#); [44.7](#); [44.10](#); [102.6](#); [143B-350 \(f\) and \(g\)](#); [153A-205](#)
[19A NCAC 02C.0103](#) and [19A NCAC 02C.0112](#)

MISC19911122.pdf	Rep Daniel DeVane – 801 Army Housing Project
MISC19910513.pdf	Corps of Engineers – 801 Army Housing Project
MISC19840301.pdf	Cul-de-sacs – minimum occupancy
MISC19880411.pdf	Eligibility of Old Subdivision Roads
MISC19760422.pdf	Maintenance on New Roads Additions
MISC19910515.pdf	Lease-to-own lots; eligibility

[SR-12] ADDITION OF ROADS CONSTRUCTED WITH STATE FUNDS

There are many roads constructed with highway funds such as access roads to serve industries, county recreation areas, hospitals, schools, landfill roads, etc. Funds cannot legally be expended unless the road constructed is of value to the public and added to the maintenance system.

These roads are to be maintained by the NCDOT. Therefore, all such roads constructed with state funds are to be added to the State Highway System with appropriate secondary road numbers in order for State Highway Funds to be expended on them. These roads may or may not have any houses located along the road and were constructed for traffic generating qualities to qualify the road for addition.

The addition of roads to the State Highway System does not include special roads maintained to cemeteries or roads constructed for fire districts or rescue squads. It does include major entrances to schools for school bus routes in order for the county to receive additional maintenance funds on a mileage basis, but does not include the parking lots, driveways or small loop roads.

[MISC19770525.pdf](#)

[SR-13] ABANDONMENTS / DELETIONS

- a. When an abandonment request from a citizen, group of citizens or others is approved by resolution from the county commissioners, the Board of Transportation shall make inquiry into the abandonment, and if in its opinion the public interest demands it, the section of roadway will be abandoned.
- b. When the County Board of Commissioners will not approve the abandonment of a section of State Maintained Road from the system, and it is felt that the abandonment of maintenance service for said section of road is in the best interest of North Carolina, a section of road can be abandoned by the Board of Transportation after the property owners along the to-be-abandoned section of roadway have been contacted by registered mail or personal delivery whose whereabouts can be ascertained by due diligence 60 days prior to any abandonment action.
- c. Abandonment action by the Board of Transportation is merely to cease maintenance by the NCDOT. The closing of the section of road is the responsibility by law of the county commissioners.
- d. In keeping with the overall zoning scheme and long range plans regarding the extraterritorial jurisdiction area, a municipality may keep open and assume responsibility for maintenance of a road within one (1) mile of its corporate limits once the road is deleted from the State Highway System.
- e. Either the municipality or the NCDOT may propose changes in the thoroughfare plan at any time by giving notice to the other party, but no change shall be effective until both the NCDOT and the municipal governing board adopts the deletion from one street system and the addition to the other street system.
- f. When a city proposes to permanently close any street or public alley, the council shall first adopt a resolution declaring its intent to close the street and calling a public hearing on the question. If the street or alley is under the control of the Department, a copy of the resolution shall be mailed to the Department.

For copies of forms relevant to road deletions, click below:

[SR-3](#), Abandonment Petition, and

[SR-5](#), Secondary Road Abandonment Investigation Report

[G.S. 136-44.1](#); [136-55.1](#); [136-63](#); [136-66.2](#); [143B-350\(f\),\(g\)](#); [153A-241](#); [160A-299](#)

[SR-14] IMPROVEMENT OF ROADS ADDED TO THE HIGHWAY SYSTEM

When a county road is added to the highway system, it is the policy of the Board of Transportation that this road will be put in a passable condition and maintained as such. The addition of the road to the secondary road system does not imply that this road will be initially widened, improved, stabilized or paved.

The general improvement of a road recently added to the system will be considered in light of the service that the road renders to the general traveling public. Dead end roads, for example, would not necessarily receive the same level of maintenance service as connecting roads receive.

[G.S. 136-44.1; 44.3; 44.7](#)

[19A NCAC 02C.0104](#)

[MISC19770525.pdf](#)

[SR-15] ADDITIONS (NEW) WITH UTILITY ENCROACHMENTS

It is Department policy to require encroachment agreements for any utilities that are located within the right of way on new road additions. No person or firm shall place any utility in, over or upon the existing or proposed right of way of any street in a subdivision.

[G.S. 136-102.6\(e\)](#) (Compliance of subdivision streets)

[DE19980505.pdf](#) (Utility Encroachments on New Road Additions)

Refer to [GP-6](#), Chapter 2 of this manual.

See Right of Way Branch's utility manual *Policies & Procedures for Accommodating Utilities on Highway Rights of Way*, Subdivision Streets, Page 81

[SR-16] ADDITIONS: POLICY BY BOARD OF TRANSPORTATION

A. General Eligibility of Roads

1. The Board of Transportation recognizes that all roads with the required number of occupied homes should be eligible for consideration for addition to the State Maintenance System without cost to the property owners.
2. The Board of Transportation will consider, for addition to the State system, any road with a right of way recorded or construction started prior to October 1, 1975, for state maintenance without the property owners bearing any cost.
3. The eligibility for consideration of such roads will be that the roads serve the required number of occupied homes and the cost for addition to the State Maintenance System will be reasonable when compared to the number of occupied homes served. In the case of subdivision roads, the property abutting the roads must be basically fully developed.

B. Addition of Cul-de-sacs

The Board of Transportation currently requires that cul-de-sacs of 0.20 mile or less serve at least four (4) occupied homes before qualifying for addition to the State Maintenance System. The Board of Transportation recognizes that many cul-de-sacs have been denied state maintenance in the past due to driveway locations or less than four (4) lots being located around the cul-de-sacs. Therefore, the Board of Transportation will consider the addition of cul-de-sacs constructed, recorded, or with the preliminary county planning board approval before October 1, 1975, which serve less than four (4) occupied homes to the State Maintained System provided:

1. The cul-de-sac is fully developed.
2. At least two (2) occupied homes are served.
3. At least two (2) individual property owners are involved.

[G.S. 136-44.1; 143B-350\(f\),\(g\)](#)

[19A NCAC 02C.0112](#)

[SR-17] RIGHT OF WAY ACQUISITION: PAVING PROJECTS

- a. It is the policy of the Board of Transportation that for the addition, improvement, or paving of secondary roads, the property owners shall dedicate, at no cost to the NCDOT, adequate right of way for construction and maintenance.
- b. In certain cases where a state maintained secondary road intersects a major highway, the NCDOT may purchase sight distance for the safety of the traveling public.
- c. On existing secondary roads which are part of the State Highway System and have been approved for paving or general improvement, the NCDOT, at its discretion, may defray the cost of moving any existing fences or buildings within the rights-of-way.
- d. If one or more property owners refuse to dedicate the necessary right of way in order to pave a secondary road, the NCDOT will allow the remaining property owners to post a bond to cover condemnation costs incurred by the NCDOT. The NCDOT would then condemn the right of way necessary for paving the road.
- e. The amount of the bond to be posted by the property owners that are willing to give the right of way free of cost to the NCDOT will be determined in the following manner: The NCDOT will require up to two thousand five hundred dollars (\$2,500) for each parcel to be condemned based upon costs incurred for such condemnations during the previous one-year period in the county involved. If no precedents have occurred in the previous one-year period, the latest precedents will dictate the amount to be posted. In addition, the NCDOT will require that the estimated amount of funds for appraised damages, if any, be posted along with the amount to cover court costs.

Example 1: If in previous one-year period, cost incurred in a particular county for condemning one parcel of property is \$2,100, the amount of \$2,100 will be required per parcel.

Example 2: If cost incurred is \$3,000 per parcel, \$2,500 would be required for each parcel to be condemned.

If the damages for the parcel, example 1, are \$1,000, a total of \$3,100 would be required for that one parcel. If there are two parcels, one having \$1,000 damages and the other having \$200 damages, then \$3,100 would be required for one parcel and \$2,300 would be required for the other.

[G.S. 136-18\(26\); 44.1; 44.8](#)
[19A NCAC 02C.0108](#)

[SR-18] RIGHT OF WAY ACQUISITION FOR SECONDARY ROAD CONSTRUCTION PROJECTS

The Board of Transportation has determined to adhere to the following procedures for acquiring right of way for secondary road projects in each county:

1. The Division Right of Way Office will have 60 days to acquire the right of way from the date that they are presented with necessary information, surveys, plan sheets, etc.
2. As the 60-day limit approaches, a decision, dependent upon the right of way status of a particular road, should be made between the District Engineer, the Division Engineer and a Board of Transportation member to either take the project down or request an extension of time to the Secondary Roads Committee of the Board of Transportation.
3. The Division Right of Way Office will provide the Division Engineer, District Engineer, and the Board of Transportation member involved with the status report on each road where right of way is being acquired every two weeks until the 60-day limitation is up.

They will need the input of the Division Right of Way Office as to any possibility for acquiring right of way on a particular road prior to deletion of the project.

4. The option of allowing the property owners that will donate the necessary right of way to post a bond to indemnify the NCDOT to condemn will have to be decided also.

[MISC19820927.pdf](#)

[SR-19] CONDEMNATION FOR CONSTRUCTION

The Board of Transportation's intent is to hold condemnations to a minimum. Engineers will exhaust every effort to solve the right of way problem in the surveying process. Property owners along the road will negotiate with their dissenting neighbors and attempt to resolve the right of way issues, with NCDOT personnel available to consult with during the negotiations. NCDOT will review the potential court costs associated with the condemnation procedures prior to court action. Once it is decided to condemn, send the request to the Chief Engineer-Operations for inclusion in the Board of Transportation agenda.

The NCDOT, at the request of a representative from a board of county commissioners, is hereby authorized to acquire by condemnation new or additional right of way to construct, pave or otherwise improve a designated State maintained secondary road. The Board of Transportation will require a duly verified copy of the county commissioners' minutes showing approval of such request as well as a copy of the petition requesting such improvement executed by abutting landowners. The owners must represent at least seventy-five per cent (75%) of the linear front footage along the secondary road sought to be improved.

SB 1038 was ratified by the General assembly in 2001. When it is necessary for the Department of Transportation to acquire a right-of-way in order to pave a secondary road or undertake a maintenance project, the Department shall negotiate the acquisition of the right-of-way for a period of up to six months. At the end of that period, if one or more property owners has not dedicated the necessary right-of-way, and at least 75% of the property owners adjacent to the project and the owners of at least 75% of the road frontage adjacent to the project have dedicated the necessary property for the right-of-way and have provided funds required by the Department rule to the Department to cover the costs of condemning the remaining property, the Department shall initiate the condemnation proceedings.

Information needed for the condemnation process is:

- Number of property owners
- Frontage distance of the holdout property owner
- Names of the owners to be condemned
- Assessment of possible damage claims
- The willingness and agreement of the consenting property owners to post bond to cover court cost and any damages
- Survey costs
- Potential amount for jury award

Refer to the *Right of Way Branch Manual*, Section 9.54, page 9-23

[G.S. 40A](#) (Eminent Domain); [G.S. 40A-11](#) (Right of entry prior to condemnation)

[G.S. 136-18\(2\)](#); [18\(26\)](#); [19](#); [103](#); [143B-350\(f\),\(g\)](#)

[19A NCAC 2C.0108](#) (Acquisition of Right of Way for Secondary Roads)

[19A NCAC 02B.0131](#) (Conditions Precedent to Condemnation)

DE19961219a.pdf	Bond Required for Condemnation
MISC19930715.pdf	Out of Court Settlements

MISC19940930.pdf	Condemnation for Paving Projects
MISC19960122.pdf	Condemnation for Paving Projects

[SR-20] IMPROVEMENT PROJECTS WITHIN RAILROAD RIGHTS OF WAY

All secondary road improvement projects located parallel to a railroad and within a railroad right of way shall be designed and built, including drainage, within existing maintained limits of the road. No additional right of way is to be acquired from the railroad.

The maintained limits are from "back of ditch to back of ditch." This is where the Department's right of way is based upon maintenance for the prescribed period rather than being based on a written right of way agreement or deed. The back of ditch is considered to be the top of the back slope. In the absence of a defined ditch, it should be determined and documented as to what amount the Department is currently maintaining. All parallel projects will be submitted to the State Railroad Agent, Right of Way Branch.

[DE19990803.pdf](#) (Parallel Construction Within Existing Railroad R/W for Secondary Roads)

[SR-21] RIVER ROAD OR MOUNTAIN DEVELOPMENTS

Many areas have developments that serve seasonal residences mainly even though there may be some year-round occupancy. These types of roads are to be added to the state maintained system by the Board of Transportation only if the access road to the development and the roads within the development are paved to the minimum Board of Transportation's construction standards. This is in line with the paved subdivision street or road requirement.

[G.S. 136-44.1; 44.10; 143B-350\(f\),\(g\)](#)

[19A NCAC 02C.0109](#)

[RF20010309.pdf](#)

[SR-22] COUNTY LANDFILL ROADS

- a. The NCDOT will assist the individual counties in the construction of roads to serve county supervised landfills by either participating with the financing, by doing the construction on a 100 percent reimbursable basis, or by assuming the total construction cost after it has been determined to what degree that secondary road improvement funds allocated to that county will be available by the Board of Transportation, the Division Engineer and the District Engineer. The construction cost of the road to serve the landfill must be of a reasonable nature when compared to the total needs of the county, as well as available funds. The road will become a part of the state maintained system, and 60 feet of right of way must be dedicated to the NCDOT at no cost. The Division of Highways must be allowed to utilize the landfill for dumping purposes free of charge.
- b. The initiation of such a project will be by a resolution from the Board of County Commissioners recommending the use of county allocated funds to partially or totally fund the road. The resolution must also state that the Division of Highways can utilize the landfill.

[G.S. 136-44.1; 143B-350\(f\),\(g\)](#)

[19A NCAC 02C.0111](#)

[SR-23] ROADWAY IMPROVEMENT GUIDELINES TO LANDFILLS AND OTHER HEAVY HAULING OPERATIONS

When landfills, asphalt, and concrete plants, stone quarries, or other operations resulting in heavy hauling for extended periods of time are located on light duty secondary roads, Division Maintenance Funds are usually not available to strengthen the roads to handle a large volume of heavy truck traffic. The Divisions are forced to post the roads used by the facilities or they will deteriorate to a condition unsafe for public travel. In lieu of posting the roads, a facility may

participate in upgrading to the nearest road which will handle legal loads. The Division Engineer will determine the proposed loads. If required, the Division will be responsible for any necessary right-of-way, moving ditches back, pavement widening, shoulder construction, erosion control, and pavement markings provided funds are available. The facility will be responsible for the required asphalt overlays over the entire pavement width. The Division will continue to maintain the road without reduced weight limits as long as the facility is in operation.

Driveway permits to new facilities of this nature will be in accordance with the Department's *Policy on Street and Driveway Access*. Turn lanes may be required in accordance with [G.S. 136-18 \(29\)](#).

Structures requiring improvements to meet legal load limits will be handled as follows: If structure improvements are solely for the benefit of the facility, they will have to pay the total cost of the improvement. If there is a significant benefit to the general traveling public, the State Bridge Maintenance Engineer, in consultation with the State Highway Engineer – Maintenance and Equipment, will determine the appropriate Department participation.

Any road which qualifies for improvements in the Transportation Improvement Program (TIP) will be handled by normal TIP procedures.

Refer to [GP-10](#) (Chapter 2, Permit for Oversize and Overweight Movements) and [MN-22](#), Chapter 7 of this manual.

[DE19920423b.pdf](#)

[MISC19980707.pdf](#) (Attorney General)

[SR-24] PARTICIPATION PAVING BY PROPERTY OWNER

A. Policy on Subdivision/Residential Roads Participation Paving – Those existing state-maintained roads which are eligible to be paved on a participating plan will be administered according to the following procedure:

1. The property owners or their representative will contact the Division Engineer or their representative to determine whether or not the road in question is eligible for paving on a participating basis.
2. If the Division Engineer or their representative determines that the road in question is eligible to be paved on a participating basis, they will so inform the property owners or their representative. They will then make a survey to determine the length of the road in question and will submit to the property owners or their representative a letter stating the cost, at a rate of four dollars (\$4.00) per linear foot, each side (\$8.00 per centerline foot), to the property owners from the road to be paved and the approximate date when the work can be completed.
3. The property owners must then present to the Division Engineer or representative a certified check made payable to the NCDOT, Division of Highways, for the entire amount as stated in Paragraph (2) of this Rule. Once this has been accomplished, work will proceed as soon as forces and supplemental funds are available.

B. Policy on Rural Road Participation Paving

This is on a first come, first served basis. A section of rural unpaved road to be paved under this policy will be at least 0.30 of a mile in length provided the road is more than 0.30 of a mile in length. The section to be paved can be at the beginning, middle or end of an unpaved road and need not connect to existing pavement.

1. The Board of Transportation will allow the paving of a rural road on a property owners' participation basis identical in cost of \$4.00 per foot along each side as required for unpaved subdivision/residential roads.
2. The Board of Transportation Member reserves the right to determine whether or not the amount of funds needed to supplement the property owners amount is justified based upon the paving priority, the total cost of the road as compared to the amount of funds received by the county, and the potential future development that would improve the established paving priority.
3. If the \$4.00 per foot required along each side of the road does not generate enough funds from the property owners to justify supplementing the State Funds needed, the Board of Transportation member, after consultation with the Division and District Engineers, may then negotiate and recommend to the Board of Transportation a per-foot cost to the property owners which will better justify the supplementing of State funds to pave the road.

[G.S. 136-44.1;136 - 44.2;136 - 44.7](#)

[19A NCAC 02C.0105](#)

[MISC19851115.pdf](#)

[SR-25] ACCESS AND PUBLIC SERVICE ROADS APPROPRIATION

The General Assembly includes in the Appropriation Bill for the operations of the North Carolina Division of Highways a statewide appropriation for "Access and Public Service Roads" The Board of Transportation allocates funds to projects from this appropriation on a need basis based upon certain policies that are generally outlined as follows:

1. New roads or improving roads to industrial manufacturing facilities
2. Driveways for rural fire district and rescue squad facilities
3. Construction and maintenance of roads, driveways, and school bus parking lots for public schools
4. Certain other types of other access and public service roads authorized by the General Statutes and deemed to be important facilities in the public interest which may be funded in part or in total by a determination of the Board of Transportation

The Chief Engineer-Operations handles all requests for funding for use of the Access and Public Service Roads appropriation and makes recommendations on a statewide needs basis to the Board of Transportation.

Refer to [MN-8](#), Public Access Funds, Chapter 7 of this manual.

[SR-26] FIRE DISTRICTS AND RESCUE SQUADS: DRIVEWAYS

[G.S. 136-18\(24\)](#) sets forth that the NCDOT is further authorized to pave driveways from the state maintained roads to rural fire district fire houses which are approved by the North Carolina Fire Insurance Rating Bureau and to facilities of rescue squads furnishing ambulance services which are approved by the North Carolina State Association of Rescue Squads, Inc.

The NCDOT will pave these driveways leading from State maintained roads to the facility in the following manner:

1. For those facilities located in the county, secondary road construction funds will be used for this purpose.
2. For those facilities located within the corporate limits of municipalities but serving areas outside of the municipalities, these driveways will be paved using access and public road funds.

The Secondary Roads Office has established standards for the paving of such driveways. They are not a part of the State Highway System.

It is the policy of the Board of Transportation to provide reasonable maintenance improvements to those areas previously constructed by the NCDOT and will be subject to availability of funds from the Secondary Road Construction Fund allocation to the counties.

Driveway Widths: Acknowledging that fire trucks need room to maneuver within a driveway stem in order to avoid conflicts with side street traffic, station buildings that are within 100 feet from the edge of pavement are allowed up to 15 feet of driveway width per bay, up to 75 feet total driveway width. For those station buildings more than 100 feet from the edge of pavement, a driveway width of 12.5 feet per bay is allowable and up to 50 feet of total driveway width. The driveway permit for this type of service will be reviewed and approved by the Division Engineer, or their designee. The Division Engineer may deviate from the above standards on a case by case basis using sound engineering judgement.

[G.S. 136-18\(24\)](#)

[MISC19891222.pdf](#)

[MISC19891115.pdf](#)

[RF20020517.pdf](#) (Driveway Widths)

[SR-27] ACCESS ROADS: INDUSTRIAL, MANUFACTURING, RESEARCH & RECREATIONAL PROJECTS

- a. The Board of Transportation will review request for access road improvements to industrial or manufacturing projects as a part of the statewide effort to attract new industry to North Carolina. Projects eligible for assistance from the NCDOT may be any industrial or manufacturing factory, mill, assembly or fabricating, or industrial research development or laboratory facility, or industrial processing facility or expansion of existing such facilities. The Board of Transportation will individually review the economic impact of the location of distribution facilities for distributing manufactured goods. The number of employees and truck traffic will be primary justification for assistance with road improvements. The Board of Transportation will also individually review requests for access road improvements to recreational facilities that provide significant impact of employment and attraction of people to the facilities from other sections of North Carolina and from out of state.
- b. Approval of such request will be based primarily upon the initial number of employees as compared to the road improvement cost. The initial investment in the project and the precedent of past approvals by the BOT for similar projects will be considered. The particular county involved will be considered as to current economic development.
- c. The access road improvements eligible to be approved by the Board of Transportation will be along an alignment determined by the NCDOT, and the right of way will be dedicated at no cost to the NCDOT. Such access road improvements will terminate at the property line of the project. The road improvements involved must become a part of the State Maintained System as required by North Carolina General Statutes.
- d. The Board of Transportation will consider the addition of an access road constructed by others to the State Maintenance System, provided it is justifiable, based upon the existing Access and Public Service Road Policy. The construction standards for such a road will be determined by the Division Engineer based upon the intended use of the roadway.

[G.S. 136-44.1, 44.2, 143B-350\(f\), \(g\)](#)

[19A NCAC 2C.0110](#)

[SR-28] ACCESS ROADS: RAILROAD CROSSINGS

An engineering cost estimate for a new access road shall include, where applicable, a cost estimate for any railroad crossing work. Contact the State railroad agent, Right of Way's Utility Section, for assistance.

[MISC19941117.pdf](#)

[DE20000807.pdf](#)

[SR-29] PUBLIC SCHOOLS: ROADS, DRIVEWAYS AND SCHOOL BUS PARKING LOTS

[G.S. 136-18\(17\)](#) sets forth that the NCDOT is hereby authorized and required to maintain and keep in repair, sufficient to accommodate public school buses, roads leading from state maintained public roads to all public schools and public school buildings to which children are transported on public school buses to and from their home. Said Department is further authorized to construct, pave, and maintain school bus driveways and stabilize sufficient parking facilities for the school buses at these schools. The NCDOT is further authorized to construct, pave, and maintain all other driveways and entrances to the public schools leading from public roads not required in the proceeding portion of this subdivision.

The operating policies of the NCDOT relating to the implementing of the above mentioned statute is set forth as follows:

1. The construction of all new school bus drives and school bus parking areas will be financed by the Division of Highways. Funding for this activity generally comes from the "Access and Public Service Road Fund" with a \$50,000 limit per facility. A request for such construction funds should include the appropriate plans for the areas with estimated costs. These should be forwarded to the Division Engineer for recommendations, then to the Chief Engineer-Operations for consideration and final recommendations to the Board of Transportation.
2. The construction of other driveways and entrances to public schools should be handled in the manner as previously set forth in (1). Work performed for other governmental units or agencies shall be on a cost reimbursement basis, and shall be in accordance with an agreement describing the work to be performed and the terms and conditions under which the work is to be performed.
3. The maintenance of all school bus driveways, routes and parking lots is the responsibility of the NCDOT as set forth in this statute. The Division is responsible for maintaining these roads in the same manner as other State Highway System streets.
4. All major entrances to the schools, such as school bus driveways, of any significant lengths should be made a part of the State Highway System and given an appropriate secondary road number.

There is no general statute or State regulation requiring the NCDOT to perform construction or maintenance at school bus turn-around. NCDOT does have responsibility of maintaining the edge of pavement and shoulders at all drives and/or school bus turn-around.

For any and all other questions relating to the interpretation of this statute, the Chief Engineer-Operations should be consulted.

Refer to [\[MN-8\]](#), Public Access Funds, Chapter 7 of this manual.

[G.S. 136-18\(17\)](#)

[MISC19910924.pdf](#) (Attorney General, Driveways-Turn Lanes)

[SR-30] AIRPORT CONNECTIONS TO THE STATE HIGHWAY SYSTEM

G.S. 136-18(14) authorizes the NCDOT to provide roads for the connection of airports in the state with the public highway system and to mark highways and erect signals along the same for the guidance and protection of aircraft. This is a general authority and is not mandatory that the NCDOT shall take any action.

Requests for providing roads as connection to airports of the state from the State Highway System shall be directed to the Division Engineer who will make an evaluation of the need with their recommendations and forward them to the Chief Engineer-Operations for consideration.

[G.S. 136-18\(14\)](#)

[SR-31] FLIGHT STRIPS: CONSTRUCTION AND MAINTENANCE

[G.S. 136-18\(18\)](#)

sets forth that the NCDOT may cooperate with appropriate agencies of the United States in acquiring right of way for and in the construction and maintenance of flight strips or emergency landing fields for aircraft's adjacent to State highways.

Any requests for such activities shall be forwarded to the Division Engineer for their investigation and recommendations. Such recommendations shall then be forwarded to the Chief Engineer-Operations for consideration.

[G.S. 136-18\(18\)](#)

[SR-32] NAVIGABLE WATERS CONNECTION TO HIGHWAY SYSTEMS

[G.S. 136-18\(15\)](#) sets forth that the NCDOT shall have authority to provide facilities for the use of water-borne traffic by establishing connections between the Highway System and the navigable waters of the State by means of a connecting road or piers.

Any requests for such facilities to be constructed or maintained by the Division of Highways as connections between the State Highway System and navigable waters shall be forwarded to the Division Engineer for their investigation and recommendations. These recommendations shall be submitted to the Chief Engineer-Operations for consideration.

[G.S. 136-18\(15\)](#)

[MISC19930903.pdf](#) (Wildlife Resources Commission)

[SR-33] CHURCH CEMETERIES AND BURIAL GROUNDS ROAD MAINTENANCE

[G.S. 136-18\(20\)](#) sets forth that the NCDOT is hereby authorized to maintain and keep in repair a suitable way of ingress and egress to all public or church cemeteries or burial grounds in the State notwithstanding the fact that said road is not a part of the State Maintained System of roads. For purposes of this subdivision, a public or church cemetery or burial ground shall be defined as a cemetery or burial ground in which there are buried, or are permitted to be buried, deceased persons of the community in which said cemetery or burial ground is located, but shall not mean a privately owned cemetery operated for profit or family burial plots.

It is the general policy of the NCDOT that minimum maintenance will be given to these roads leading to these church or other burial grounds as defined in the statute. In some cases, the division undertakes periodic maintenance, and in other cases, it merely makes certain that there is a passable road to the cemetery upon request of the people in charge of a particular burial.

For further information on this matter and overall policies, the District or Division Office should be consulted. In terms of the final responsibility for any variation in these policies, the Chief Engineer-Operations should be consulted. It is important to note that these roads are not to be considered a part of the State Highway System.

[G.S. 136-18\(20\)](#)

[SR-34] NEIGHBORHOOD PUBLIC ROADS

There are portions of the public road system of the State which do not qualify for additions to the State Highway System or which have been abandoned by the NCDOT. Many of these roads still remain open and in general use and may serve a dwelling, etc. Many were constructed in the 1930's with unemployment relief funds.

[G.S. 136-67](#), entitled "Neighborhood Public Roads", sets forth that "On request of the Board of County Commissioners of any county, the NCDOT is permitted, but is not required, to place such neighborhood public roads as above defined in a passable condition without incorporating the same into the state system, and without being obligated in any manner for permanent maintenance thereof."

It is the policy of the NCDOT NOT to place such roads in a passable condition. Neighborhood road maintenance would be similar to that maintenance given cemetery roads but a little more frequently.

[G.S. 136-67 68; 69; 70](#)

[RF20010309.pdf](#)

[MISC19890615.pdf](#)

[SR-35] TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Street guidelines have been developed to accommodate livable and walkable high density, mixed core use communities. A proposed Traditional Neighborhood Subdivision must meet all applicable local and state requirements.

See *Traditional Neighborhood Development Street Design Guidelines*, August 2000, Chief Engineer-Operations, at the following link:

http://www.doh.dot.state.nc.us/preconstruct/highway/dsn_srvc/value/manuals/

[SR-36] CLOSING SECONDARY ROADS

A. Applications for Intermittent Secondary Road Closing

The following official authorities may submit application to the Board of Transportation for intermittent closing of secondary roads within watershed improvement projects:

1. Board of Commissioners of a drainage district established under the provisions of Chapter 156 of the General Statutes of North Carolina
2. Board of Trustees of a watershed improvement district established under the provisions of Article 2 of Chapter 139 of the General Statutes
3. Board of County Commissioners of any county operating a county watershed improvement program under the provisions of Article 3 of Chapter 139 of the General Statutes
4. Board of Commissioners of any watershed improvement commission appointed by a board of county commissioners and
5. Board of Supervisors of any soil and water conservation district designated by a board of county commissioners to exercise authority in carrying out a county watershed improvement project

[G.S. 136-64.1\(a\); 20-121](#)

[19A NCAC 02D.0704-.0709](#)

[MISC19850513.pdf](#)

B. Highway System Limitations

This policy and the following application procedures apply only to secondary roads on the State Highway System. Application for intermittent closing of roads, not on the State system, within municipalities, must be submitted directly to the municipality in accordance with

[G.S. 160A-299, 299.1; 136-64.1\(a\); 153A-241](#)
[19A NCAC 02D.0702](#)

C. Review and Approval Authority

1. The Board of Transportation has the authority to promulgate regulations for the issuance of permits to allow secondary roads to be closed for floodwater retention purposes.
2. The Board has delegated the authority for the consideration, issuance or denial of such permits to the State Highway Administrator.

[G.S. 136-64.1\(d\)](#)
[19A NCAC 02D.0703](#)

D. Application Procedures

Application should be submitted to the State Highway Administrator in the form of a resolution from the requesting agency and must include the following information, plus any additional supportive data the agency deems pertinent to the request:

1. County where the road(s) is (are) located
2. Secondary road(s) affected by flooding (number and local name)
3. A plan and profile sheet of the affected secondary road(s) indicating the 5, 10, 25, 50 year and maximum flood stage elevations. The duration of flooding should also be indicated, showing the total time the roadway surface will be inundated for each storm frequency
4. A statement that the applicant will reimburse the North Carolina NCDOT for all damages by reason of the flooding of the highway right of way
5. A statement that the applicant shall be responsible for all damages, by reason of the flooding, to any public utilities upon the highway right of way; and
6. A request that a permit be granted to the applicant agency to allow the intermittent closing of the road

[G.S. 136-64.1\(a,b\)](#)
[19A NCAC 02D.0704](#)

E. Review Procedures

Upon receipt of a completed application, the State Highway Administrator will acknowledge the receipt and initiate a preliminary investigation and review.

In reviewing the application, the following factors will be taken into consideration as a basis for approval or disapproval:

- traffic count
- availability of an acceptable detour
- length of an acceptable detour
- type of road surface (paved/unpaved)
- school bus route - number of buses
- anticipated frequency of flooding
- anticipated duration of flooding
- cost estimates to raise the roadway above flood stage
- probability of future significant changes in traffic characteristics
- comments from affected utilities and
- comments from general public

Under no condition will a permit be issued to allow flooding which would isolate any home, business, or other commercial establishment.

[G.S. 136-64.1\(d\); 20-121](#)
[19A NCAC 02D.0705](#)

F. Public Notice

Provided the application receives preliminary approval, the NCDOT will give public notice of the proposed action by publication once each week for two consecutive weeks in a newspaper having general circulation in the county or counties, within which the proposed intermittent closing of the road(s) would occur. This notice will contain a description of the limits of the proposed intermittent closing.

The NCDOT shall provide a copy of the public notice to the affected County Board of Commissioners for their review.

The NCDOT will give notice to all public utilities having facilities located within the rights-of-way of any road(s) being closed.

No sooner than 14 days after publication and mailing of notices, the NCDOT may issue a permit with respect to such road(s).

[G.S. 136-64.1\(c\)](#)
[19A NCAC 02D.0706](#)

G. Permit Form

The permit, if issued, will be sent in the form of a letter to the applicant from the State Highway Administrator.

[G.S. 136-64.1\(d\)](#)
[19A NCAC 02D.0707](#)

H. Warning Signs

Upon approval of an application and the issuance of a permit for flooding, the NCDOT will erect appropriate warning signs on the secondary road(s) to advise the general public of the intermittent closing of the road(s) involved.

The applicant must reimburse the department for all costs associated with the fabrication, erection and maintenance of the warning signs.

[G.S. 136-64.1\(d\)](#)
[19A NCAC 02D.0708](#)

I. Appeal Procedures

In the event the State Highway Administrator denies an application, the applicant shall have the right to appeal the decision to the full Board of Transportation pursuant to the procedures below:

Within 30 days after receiving notice from the State Highway Administrator that the application has been denied, the applicant must submit to the Secretary of Transportation, by registered mail, a written appeal setting forth with particularity the facts upon which the appeal is based. After receiving this appeal, the Secretary will notify the applicant of the date when the full Board of Transportation will consider a review of the application.

The Board of Transportation reserves the right to deny any application it may receive or it may grant a permit on any condition it deems warranted.

See [MN-20](#), Road Closures During Construction and Maintenance Operations, Chapter 7 of this manual.

[G.S. 136-64.1\(d\); 153A-241](#)
[19A NCAC 02D.0709](#)

**[SR-37] SUBDIVISION AND RESIDENTIAL STREET IMPROVEMENTS,
SPECIAL ASSESSMENTS**

The county may finance the local share of the cost of improvements made under the supervision of the NCDOT to subdivision and residential streets that are part of the State Maintained System in the county and outside of a city and shall levy and collect pursuant to the procedures of Article 9 of Chapter 153A of the General Statutes special assessments against benefited property.

[G.S. 153A-205, 206,189, 160A-222](#)

[SR-38] SUBDIVISION ROADS MANUAL

The *Municipal/Developer Submittals Guidelines for Plan Reviews and Encroachments* are to be used to reduce the time needed to process municipal or developer plans by the NCDOT Design Unit.

The District Engineer should be the first contact for the review of any plan submittals or encroachment request. The District Engineer will determine the procedure to follow for each submittal.

Review the *Municipal/Developer Submittals Guidelines for Plan Reviews and Encroachments* at the following link:

www.doh.dot.state.nc.us/preconstruct/highway/dsn_srvc/value/manuals.

Click on *Subdivision Roads* and scroll down to the desired page for each of the following:

Subject	Page No.	Authority
General Definitions	12	G.S. 136-18(l); 44.1; 102.6 19A NCAC 02C.0201
Driveway Permit	36	
Application Requirements	10	G.S. 136-18(l); 44.1 19A NCAC 02C.0202
Addition of Subdivision Roads to the System	13	G.S. 136-18(l); 44.1; 102.6 19A NCAC 02C.0203
Utility Requirements	16	G.S. 136-18(l); 44.1; 102.6 19A NCAC 02C.0204 Refer to SR-42, Additions (New) with Utility Encroachments, Chapter 6, of this manual
Drainage Requirements	18	G.S. 136-18(l); 44.1; 102.6 19A NCAC 02C.0205
Bridge and Dam Requirements	19	G.S. 136-18(l); 44.1 19A NCAC 02C.0206
Curb, Gutter and Sidewalk Requirement	21	G.S. 136-18(l); 44.1 19A NCAC 02C.0207
Pavement Designs	22	G.S. 136-18(l); 44.1; 102.6 19A NCAC 02C.0209
Minimum Design Criteria	26	19A NCAC 02C.0210 G.S. 136-18(l); 44.1
Subdivision Name Markers	25	19A NCAC 02C.0213
Islands or Short Medians at Subdivision Entrances	24	MISC19981002.pdf (Attorney General)

Road Intersections	24	19A NCAC 02C.0211 G.S. 136-18(l); 44.1
Verification of Compliance Permit (DENR)	35	
Mailboxes	34	19A NCAC 02E.0404

[SR-39] RIGHT OF WAY REQUIRED FOR CURB AND GUTTER ADDITIONS

The Division of Highways may require the following right of way widths for adding secondary roads classified as subdivision (curb and gutter sections only) to the state system:

Connecting Roads - The right of way width for roads which serve as the connecting road system between other roads within the subdivision and the thoroughfare system will be 50 feet.

Short Connecting Roads - These roads are normally one block long or extend on a block-by-block basis and have no collector characteristics. The right of way width will be 40 feet.

Loop Roads - These are roads which have no collector characteristics. The right of way width will be 40 feet.

Cul-de-sacs - These are very short roads with a limited number of lots; the right of way width will be 40 feet.

The policy will also apply to the right of way width on proposed subdivision roads that are submitted to the District Engineer for subdivision plat approval.

[SR-40] SUBDIVISION PLAT: LOT LINE TO MIDDLE OF ROAD

The Attorney General has determined that the NCDOT cannot require right-of-way to be exclusive of the lots in a subdivision. As long as a right-of-way for road purposes is designated on the instrument to be recorded, it can be claimed as valid right-of way for the road purposes. Dashed lines indicating road right-of way or sight distance with the lot lines being solid lines to the center of the road is acceptable.

The road right-of-way is to be designated as "public" or "private" on the instrument to be recorded. Therefore the word "public" is to be on the plat or instrument to be recorded with NCDOT approval. NCDOT is not required to review any plats or instruments prior to recording with designated right-of-way shown as "private".

[MISC19860404.pdf](#)

[SR-41] SECONDARY ROAD NAMES - Rev. 8/19/03

[G.S. 153A-239.1](#) authorizes a county to name or rename any public road, but a county cannot change the name of a State maintained road unless agreed to by the Board of Transportation.

The present policy of the Board of Transportation to change the name of a secondary road will be at the request of a county board of commissioners. Requests for road name changes within municipal limits should be sent to the Powell Bill Program in the Fiscal Branch. Requests for road name changes on state maintained roads outside of municipal limits should be sent to the Chief Engineer's Office.

The official name of a secondary road is first established at the time of addition to the State Highway System. If a road was not added by petition (such as the original roads of 1931 and additions to the map in 1944), they are considered to have no name unless a name was submitted on the addition form.

Refer to [MF-7](#), Chapter 2 of this manual.

To locate a secondary road name or number, use the following link
<http://www.dot.state.nc.us/planning/statewide/>
Select *Road Inventory*, then *SR # Lookup*.
Click [here MISC19940105.pdf](#) for full text of naming policy.
Click [here RF20030411.pdf](#) for road name changes in municipalities.
[G.S. 136-18\(8\)](#)
[G.S. 153A-239.1](#)

[SR-42] STREET NAME SIGNS FOR SUBDIVISION STREETS

- a. Street name signs are the sole responsibility of the municipality. If such signs are installed on the state highway system rights-of-way they must be in conformance with the "Manual on Uniform Traffic Control Devices" and may not be erected in such a manner as to interfere with standard highway signing.
- b. Street Name Signs (State Rural Secondary System). The board of county commissioners or developers and property owners can request permission for the appropriate street name signs and, upon approval by the traffic engineering branch as to type, design, and location of said signs, they may be erected and will be maintained by those responsible for the placing of the signs.
- c. The Department of Transportation may remove all street name signs that are not properly maintained or that hamper the maintenance of the streets by the Department of Transportation.

Note: Refer also to the Code of Federal Regulations, Chapter 23, Part 655, Subpart C
[G.S. 153A-239.1](#) (Naming roads and assigning street numbers); [G.S. 136-18\(8\)](#)
[19A NCAC 02B.0216](#)

To find a road name or number, use the following link,
<http://www.dot.state.nc.us/planning/statewide/>
Select *Road Inventory* and then select *SR # Lookup*.

[SR-43] COUNTY ROAD NAME SIGN PROGRAM

The NCDOT will assist counties in purchasing road name signs for the State maintained roads under the following conditions:

- A. The NCDOT will pay 70% of the cost of the signs (signs, posts, nuts, bolts, brackets), and the county will pay 30% of the cost. This 70% will not include any State or local sales tax paid by the county in obtaining the signs.
- B. The county will be responsible for:
 1. Counting intersections to determine the number of name signs needed. Private roads intersecting State maintained roads may be included.
 2. Naming the county roads.
 3. Purchasing the standardized signs from the North Carolina Department of Corrections sign plant.
 4. Installing and maintaining the name signs. The installation cost is not included in the 70% to be financed by the NCDOT.
 5. Furnishing the NCDOT a resolution indicating that 30% of the estimated cost has been appropriated by the county.
- C. The county will be reimbursed for 50% of the State's 70% share of the cost after the county has paid for the name signs and submitted the invoices to the NCDOT. The remaining 50% will be paid after the name signs have been installed to the satisfaction of the NCDOT.

- D. Financial participation with the county by the NCDOT will be limited to the initial request for name signs. Continuing name sign orders will be the responsibility of the county for financing.
- E. State maintained secondary road numbers must be located on the sign in the upper left side corner.
- F. Counties that must change names will have to request such from the Board of Transportation by resolution indicating the new name along with the corresponding secondary road number.

[19A NCAC 02B.0216](#); [.02B.0304](#)

[SR-44] COUNTY ROAD PADDLE

There has been a no official discontinuance of the county road paddle signing policy.

The Standing Operations Advisory Committee recommended that the county road paddle signs be installed on a request/needs basis to be determined at the Division level.

It will be the policy of NCDOT to continue to maintain existing signs, except in areas where expanding municipal limits take them into cities or when they are no longer needed. New signs should be installed and maintained when requested.

[19A NCAC 02B.0304](#)

[DE19970430.pdf](#)

[SR-45] HISTORIC ARCHITECTURE REVIEW

Historic Architecture Section, Project Development and Environmental Analysis Branch, maintains compliance with State and Federal laws for historic properties.

Historic Architecture Section will not require the Highway Divisions to provide the location of federal permit sites for rural secondary road paving projects.

Historic Architecture Section will review secondary road paving projects with the National Register (NR) and Study List (SL) properties. The county secondary road paving list is to be submitted to the Human Environment Unit, Historic Architecture Section, so they can screen maps at the State Historic Preservation Offices (SHPO) to find such properties.

Historic Architecture Section will review secondary road paving projects in which the SHPO has sent a written request for evaluation. Any letters received by the highway division from the SHPO should be copied and sent to the Human Environment Unit, Historic Architecture Section.

[DE20001012.pdf](#)

[SR-46] RIGHT OF WAY MARKERS

Right of Way Markers shall be installed to delineate the right of way of a secondary road construction project. The Division Engineer will be responsible for maintaining and re-establishing the right-of-way once a project is completed. Therefore, the Division Engineer has the option of choosing the method of delineating the right of way.

[RF19930128a.pdf](#)